

1 *STIPULATING PARTIES AND COUNSEL*  
2 *LISTED ON SIGNATURE PAGES*

3  
4  
5  
6  
7  
8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**  
10 **SAN FRANCISCO DIVISION**

11  
12 In re: CATHODE RAY TUBE (CRT) ANTITRUST  
LITIGATION

Case No. 07-cv-5944 SC

MDL No. 1917

13 This Document Relates to:

14 *Sharp Electronics Corp., et al. v. Hitachi Ltd., et al.,*  
15 Case No. 13-cv-1173 SC

**STIPULATION AND [PROPOSED]  
ORDER REGARDING THE  
COMPLAINT IN THE SHARP  
ELECTRONICS CORPORATION  
AND SHARP ELECTRONICS  
MANUFACTURING COMPANY OF  
AMERICA, INC.'S ACTION**

Pursuant to Civil Local Rules 6-2 and 7-12, Plaintiffs Sharp Electronics Corporation and Sharp Electronics Manufacturing Company of America, Inc. (collectively, “Plaintiffs”) and the undersigned Defendants have conferred by and through their counsel and, subject to the Court’s approval, HEREBY STIPULATE AS FOLLOWS:

WHEREAS, on March 15, 2013, Plaintiffs filed a Summons and Complaint in the Northern District of California, *Sharp Electronics Corp., et al. v. Hitachi, Ltd., et al.*, Case No. 13-cv-1173 (the “Sharp Summons” and the “Sharp Complaint,” respectively);

WHEREAS, on March 20, 2013, Plaintiffs filed an Administrative Motion Pursuant to Civil L.R. 3-12 To Consider Whether Cases Should Be Related, identifying *Sharp Electronics Corp., et al. v. Hitachi, Ltd., et al.* as related to *In re Cathode Ray Tube (CRT) Antitrust Litigation*, Case No. 07-cv-5944-SC (MDL No. 1917);

WHEREAS, on March 26, 2013, this Court entered an Order finding that *Sharp Electronics Corp., et al. v. Hitachi, Ltd., et al.* is related to *In re Cathode Ray Tube (CRT) Antitrust Litigation*, Case No. 07-cv-5944-SC (MDL No. 1917).

WHEREAS, the undersigned Defendants named in the Sharp Complaint (“Defendants”) have not yet been formally served with process;

IT IS HEREBY STIPULATED AND AGREED by and between counsel for the undersigned Plaintiffs and Defendants, as follows:

1. Each of the undersigned Defendants shall be deemed served with the Sharp Summons and Complaint as of the date of execution of this Stipulation.

2. The Sharp Complaint asserts similar causes of action alleged by the following Direct Action Plaintiff complaints: *Stoebner v. LG Electronics, Inc.*, No. 11-cv-05381 (N.D. Cal.) (Nov. 7, 2011); *Target Corp. v. Chunghwa Picture Tubes, Ltd.*, No. 11-cv-05514 (N.D. Cal.) (Jan. 6, 2012); *P.C. Richard & Son Long Island Corp. v. Hitachi, Ltd.*, No. 12-cv-02648 (N.D. Cal.) (Nov. 14, 2011); *Schultze Agency Servs., LLC v. Hitachi, Ltd.*, No. 12-cv-02649 (N.D. Cal.) (Nov. 14, 2011); *CompuCom Systems, Inc. v. Hitachi, Ltd.*, No. 11-cv-06396 (N.D. Cal.) (Nov. 14, 2011); *Interbond Corp. of Am. v. Hitachi, Ltd.*, No. 11-cv-06275 (N.D.

Cal.) (Nov. 14, 2011); *Costco Wholesale Corp. v. Hitachi, Ltd.*, No. 11-cv-06397 (N.D. Cal.) (Nov. 14, 2011); *Siegel v. Hitachi, Ltd.*, No. 11-cv-05502 (N.D. Cal.) (Nov. 14, 2011); *Office Depot, Inc. v. Hitachi, Ltd.*, No. 11-cv-06276 (N.D. Cal.) (Nov. 14, 2011); *Best Buy Co., Inc. v. Hitachi, Ltd.*, No. 11-cv-05513 (N.D. Cal.) (Nov. 14, 2011); *Electrograph Systems, Inc. v. Hitachi, Ltd.*, No. 11-cv-01656 (N.D. Cal.) (Mar. 10, 2011); and *Tech Data Corporation, et al. v. Hitachi, Ltd. et al.*, Case No. 8:12-cv-02795 (M.D. Fla.) (Dec. 11, 2012).

3. The Sharp Complaint seeks damages based on an alleged conspiracy to fix, raise, maintain, and/or stabilize prices for CRTs, as set forth in the Sharp Complaint; the Sharp Complaint does not assert any claims that Defendants have combined and conspired to fix, raise, maintain or stabilize the prices of products containing CRTs (“CRT Finished Products”).

4. On August 17, 2012, Defendants filed motions to dismiss and for judgment on the pleadings with respect to the following Direct Action Plaintiff complaints (the “Dispositive Motions”): *Stoebner v. LG Electronics, Inc.*, No. 11-cv-05381 (N.D. Cal.) (Nov. 7, 2011); *Target Corp. v. Chunghwa Picture Tubes, Ltd.*, No. 11-cv-05514 (N.D. Cal.) (Jan. 6, 2012); *P.C. Richard & Son Long Island Corp. v. Hitachi, Ltd.*, No. 12-cv-02648 (N.D. Cal.) (Nov. 14, 2011); *Schultze Agency Servs., LLC v. Hitachi, Ltd.*, No. 12-cv-02649 (N.D. Cal.) (Nov. 14, 2011); *CompuCom Systems, Inc. v. Hitachi, Ltd.*, No. 11-cv-06396 (N.D. Cal.) (Nov. 14, 2011); *Interbond Corp. of Am. v. Hitachi, Ltd.*, No. 11-cv-06275 (N.D. Cal.) (Nov. 14, 2011); *Costco Wholesale Corp. v. Hitachi, Ltd.*, No. 11-cv-06397 (N.D. Cal.) (Nov. 14, 2011); *Siegel v. Hitachi, Ltd.*, No. 11-cv-05502 (N.D. Cal.) (Nov. 14, 2011); *Office Depot, Inc. v. Hitachi, Ltd.*, No. 11-cv-06276 (N.D. Cal.) (Nov. 14, 2011); *Best Buy Co., Inc. v. Hitachi, Ltd.*, No. 11-cv-05513 (N.D. Cal.) (Nov. 14, 2011); and *Electrograph Systems, Inc. v. Hitachi, Ltd.*, No. 11-cv-01656 (N.D. Cal.) (Mar. 10, 2011). (Dkt. Nos. 1316, 1317, 1319).

5. Pending the resolution of the Dispositive Motions, the undersigned Defendants do not need to answer or otherwise respond to the Sharp Complaint. Once the Honorable Samuel Conti rules on the Dispositive Motions, the parties agree to set a reasonable

1 deadline for Defendants' answers and/or a reasonable briefing schedule for Defendants' motions  
2 to dismiss Sharp's Complaint.

3 6. The undersigned parties jointly and respectfully request that the Court  
4 enter this stipulation as an order.

5  
6 Dated: April 23, 2013

TAYLOR & COMPANY LAW OFFICES, LLP

7  
8 By: /s/ Craig A. Benson  
Kenneth A. Gallo (*Pro Hac Vice*)  
Joseph J. Simons (*Pro Hac Vice*)  
9 Craig A. Benson (*Pro Hac Vice*)  
**PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP**  
10 2001 K Street, NW  
Washington, DC 20006  
11 Telephone: (202) 223-7356  
Facsimile: (202) 204-7356  
12 Email: kgallo@paulweiss.com  
Email: jsimons@paulweiss.com  
13 Email: cbenson@paulweiss.com

14 Stephen E. Taylor (SBN 058452)  
Jonathan A. Patchen (SBN 237346)  
**TAYLOR & COMPANY LAW OFFICES, LLP**  
15 One Ferry Building, Suite 355  
San Francisco, California 94111  
16 Telephone: (415) 788-8200  
Facsimile: (415) 788-8208  
17 Email: staylor@tcolaw.com  
18 Email: jpatchen@tcolaw.com

19  
20 *Attorneys for Plaintiffs Sharp Electronics Corporation and Sharp  
Electronics Manufacturing Company of America, Inc.*

21  
22 Dated: April 23, 2013

MORGAN, LEWIS & BOCKIUS LLP

23 By: /s/ Kent M. Roger  
Kent M. Roger (SBN 95987)  
Michelle Park Chiu (SBN 248421)  
24 **MORGAN, LEWIS & BOCKIUS LLP**  
One Market, Spear Street Tower  
25 San Francisco, CA 94105-1126  
Telephone: (415) 442-1000  
26 Facsimile: (415) 442-1001  
Email: kroger@morganlewis.com  
27 Email: mchiu@morganlewis.com

1 J. Clayton Everett, JR. (*Pro Hac Vice*)  
2 Scott A. Stempel (*Pro Hac Vice*)  
3 **MORGAN, LEWIS & BOCKIUS LLP**  
4 1111 Pennsylvania Avenue, NW  
5 Washington, DC 20004  
6 Telephone: (202) 739-3000  
7 Facsimile: (202) 739-3001  
8 Email: jeverett@morganlewis.com  
9 Email: sstempel@morganlewis.com

10 *Attorneys for Defendants Hitachi, Ltd., Hitachi Displays, Ltd.,*  
11 *Hitachi America, Ltd., Hitachi Asia, Ltd., and Hitachi Electronic*  
12 *Devices (USA), Inc.*

13 Dated: April 23, 2013

14 **WINSTON & STRAWN LLP**

15 By: /s/ Jeffrey L. Kessler  
16 Jeffrey L. Kessler (*Pro Hac Vice*)  
17 A. Paul Victor (*Pro Hac Vice*)  
18 Eva W. Cole (*Pro Hac Vice*)  
19 Molly M. Donovan (*Pro Hac Vice*)  
20 **WINSTON & STRAWN LLP**  
21 200 Park Avenue  
22 New York, NY 10166  
23 Telephone: (212) 294-4698  
24 Facsimile: (212) 294-4700  
25 Email: jkessler@winston.com  
26 Email: pvictor@winston.com  
27 Email: ewcole@winston.com  
28 Email: mmdonovan@winston.com

Steven A. Reiss (*Pro Hac Vice*)  
David L. Yohai (*Pro Hac Vice*)  
Adam C. Hemlock (*Pro Hac Vice*)  
**WEIL, GOTSHAL & MANGES LLP**  
767 Fifth Avenue  
New York, NY 10153-0119  
Telephone: (212) 310-8000  
Facsimile: (212) 310-8007  
Email: steven.reiss@weil.com  
Email: david.yohai@weil.com  
Email: adam.hemlock@weil.com

Gregory D. Hull (SBN 57367)  
**WEIL, GOTSHAL & MANGES LLP**  
201 Redwood Shores Parkway  
Redwood Shores, CA 94065-1175  
Telephone: (650) 802-3000  
Facsimile: (650) 802-3100  
Email: greg.hull@weil.com

*Attorneys for Defendants Panasonic Corporation (f/k/a Matsushita*

*Electric Industrial Co., Ltd.), Panasonic Corporation of North America, and MT Picture Display Co., Ltd.*

Dated: April 23, 2013

MUNGER, TOLLES & OLSON LLP

By: /s/ Hojoon Hwang  
Hojoon Hwang (SBN 184950)  
**MUNGER, TOLLES & OLSON LLP**  
560 Mission Street, Twenty-Seventh Floor  
San Francisco, California 94105-2907  
Telephone: (415) 512-4000  
Facsimile: (415) 512-4077  
E-mail: Hojoon.Hwang@mto.com

William D. Temko (SBN 098858)  
Jonathan E. Altman (SBN 170607)  
Bethany W. Kristovich (SBN 241891)  
**MUNGER, TOLLES & OLSON LLP**  
355 South Grand Avenue, Thirty-Fifth Floor  
Los Angeles, CA 90071-1560  
Telephone: (213) 683-9100  
Facsimile: (213) 687-3702  
E-mail: William.Temko@mto.com  
E-mail: Jonathan.Altman@mto.com  
E-mail: Bethany.Kristovich@mto.com

*Attorneys for Defendants LG Electronics, Inc.; LG Electronics USA, Inc.; and LG Electronics Taiwan Taipei Co., Ltd.*

Dated: April 23, 2013

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

By: /s/ Gary L. Halling  
Gary L. Halling (SBN 66087)  
James L. McGinnis (SBN 95788)  
Michael Scarborough (SBN 203524)  
**SHEPPARD, MULLIN, RICHTER & HAMPTON LLP**  
Four Embarcadero Center, 17th Floor  
San Francisco, CA 94111-4109  
Telephone: (415) 434-9100  
Facsimile: (415) 434-3947  
Email: ghalling@sheppardmullin.com  
Email: jmcginnis@sheppardmullin.com  
Email: mscarborough@sheppardmullin.com

*Attorneys for Samsung SDI Co., Ltd., Samsung SDI America, Inc., Samsung SDI (Malaysia) Sdn. Bhd., Samsung SDI Mexico S.A. de C.V., Samsung SDI Brasil Ltda., Shenzhen Samsung SDI Co., Ltd., Tianjin Samsung SDI Co., Ltd., and Samsung SDI (Hong Kong), Ltd.*

Dated: April 23, 2013

WHITE & CASE LLP

1 By: /s/ Christopher M. Curran  
2 Christopher M. Curran (*Pro Hac Vice*)  
3 Lucius B. Lau (*Pro Hac Vice*)  
4 Dana E. Foster (*Pro Hac Vice*)  
5 **WHITE & CASE LLP**  
6 701 Thirteenth Street, N.W.  
7 Washington, DC 20005  
8 Telephone: (202) 626-3600  
9 Facsimile: (202) 639-9355  
10 E-mail: ccurran@whitecase.com  
11 E-mail: alau@whitecase.com  
12 E-mail: defoster@whitecase.com

13 *Attorneys for Toshiba Corporation, Toshiba America, Inc., Toshiba*  
14 *America Electronic Components, Inc., and Toshiba America*  
15 *Information Systems, Inc.*

16 PURSUANT TO STIPULATION, AND GOOD CAUSE APPEARING THEREFORE,  
17 IT IS SO ORDERED.

18 DATED: \_\_\_\_\_

19 \_\_\_\_\_  
20 HONORABLE SAMUEL CONTI  
21 UNITED STATES DISTRICT COURT JUDGE  
22  
23  
24  
25  
26  
27  
28

**E-FILER'S ATTESTATION**

I, Craig A. Benson, am the ECF user whose ID and password are being used to file the Stipulation And [Proposed] Order Regarding the Complaint in the Sharp Electronics Corporation and Sharp Electronics Manufacturing Company of America, Inc.'s Action. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that each listed counsel above has concurred in this filing.

Dated: April 23, 2013

\_\_\_\_\_  
/s/ Craig A. Benson  
CRAIG A. BENSON